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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION

CECIL LESHAUN FUNCHES #17704-
003,
Plaintiff

CIVIL DOCKET NO. 1:24-CV-00527
SEC P

VERSUS

JUDGE EDWARDS

USA ET AL,
Defendants

MAGISTRATE JUDGE PEREZ-MONTES

MEMORANDUM ORDER

Before the Court is a Complaint filed by pro se Plaintiff Cecil Leshawn Funches (“Funches”). ECF No. 1. Funches is incarcerated at the Federal Correctional Institution in Pollock, Louisiana (“FCI-P”). He seeks damages under *Bivens*¹ and the Federal Tort Claims Act (“FTCA”) related to dental care.

Because additional information is needed to evaluate the Complaint, Funches must AMEND.

I. Background

Funches alleges that he was prescribed medication for a tooth abscess and cellulitis between June 22, 2021, and March 17, 2022. ECF No. 1 at 3-4. During that time, he was often “denied access to the pill line” to pick up his medication. He also alleges malpractice by Dr. Flowers.

¹ In *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), the United States Supreme Court recognized that certain circumstances may give rise to a private cause of action against federal officials that is comparable to the statutory cause of action permitted against state officials by 42 U.S.C. § 1983.

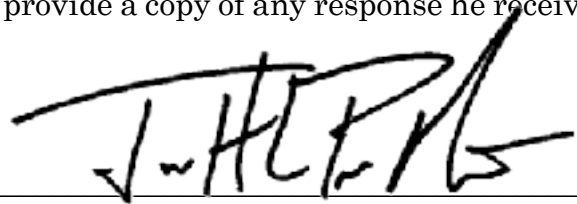
II. Law and Analysis

Funches filed a tort claim with the Bureau of Prisons on October 15, 2023. ECF No. 1-2 at 1. A response was expected by April 14, 2024. *Id.* The record does not provide whether Funches has received a response to his tort claim, or whether it remains outstanding.

III. Conclusion

IT IS ORDERED that Funches AMEND the Complaint to state whether he has received a response to his tort claim and to provide a copy of any response he received.

SIGNED on Friday, July 26, 2024.

A handwritten signature in black ink, appearing to read 'J-H-L-P-M', is written over a horizontal line.

JOSEPH H.L. PEREZ-MONTES
UNITED STATES MAGISTRATE JUDGE